

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

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UNITED STATES OF AMERICA,  
Plaintiff,

v.

MOUNTAIN HEALTH CARE, P.A.,  
Defendant.

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Civil No.: 1:02CV288-T

Filed: 12/13/02

STIPULATION

It is stipulated by and between the undersigned parties, by their respective attorneys, that:

1. The Court has jurisdiction over the subject matter of this action and over each of the parties hereto, and venue of this action is proper in the Western District of North Carolina.

2. The parties consent that a Final Judgment in the form hereto attached may be filed and entered by the Court, upon the motion of any party or upon the Court's own motion, at any time after compliance with the requirements of the Antitrust Procedures and Penalties Act (15 U.S.C. § 16), and without further notice to any party or other proceedings, provided that plaintiff has not withdrawn its consent, which it may do at any time before the entry of the proposed Final Judgment by serving notice thereof on the defendants and by filing that notice with the Court.

3. Defendant shall abide by and comply with the provisions of the proposed Final Judgment pending entry of the Final Judgment, and shall, from the date of the filing of this Stipulation, comply with all the terms and provisions thereof as though the same were in full force and effect as an order of the Court.

4. In the event plaintiff withdraws its consent or if the proposed Final Judgment is not entered pursuant to this Stipulation, this Stipulation shall be of no effect whatever, and the making of this Stipulation shall be without prejudice to any party in this or any other proceeding.

FOR PLAINTIFF UNITED STATES OF AMERICA:

\_\_\_\_\_/s/\_\_\_\_\_  
Weun Wang, Esq.  
Litigation II Section  
Antitrust Division  
U.S. Department of Justice

Dated: \_\_\_\_10/02 \_\_\_\_, 2002

FOR DEFENDANT MOUNTAIN HEALTH CARE, P.A.:

\_\_\_\_\_/s/\_\_\_\_\_  
John J. Miles, Esq.  
Ober, Kaler, Grimes & Shriver  
Counsel for Defendant Mountain Health Care, P.A.

Dated: \_\_\_\_Sept. 26\_\_, 2002